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AGREEMENT

THIS AGREEMENT, made this 7th day of February, in the year of our Lord one thousand nine hundred and Forty-nine, between EARL K. KIRBY and LOIS M. KIRBY, parties of the

first part, and the City of Riverside, a municipal corporation of the State of California, the party of the second part;

WITNESSETH: That said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) lawful money of the United States of America, to hereunto paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant unto said party of the second part a perpetual easement and right of way for the construction, reconstruction, inspection, maintenance, operation and repair of a STORM WATER DRAIN, together with all necessary appurtenances, in, under and along a 10 ft. wide parcel of land in the City of Riverside, County of Riverside, State of California:

Said 10 ft. wide parcel of land being that portion of the SE 1/4 of the SW 1/4 of the NW 1/4 and of the SW 1/4 of the SE 1/4 of the NW 1/4 of Section 33, T2S, Range 5W, S.B.E. & M. that lies 5 ft. on each side of a center line that begins at a point in the north line of said SW 1/4 of said SE 1/4 of said NW 1/4 that is 5 ft. east measured along said north line from the NE corner of said SE 1/4 of said SW 1/4 of said NW 1/4; thence SWly, along a line that is deflected 70 degrees SEly from the north line of said SE 1/4 of said SW 1/4 of said NW 1/4, to a line that is parallel with the west 24.54 ft. from the east line of said SE 1/4 of said SW 1/4 of said NW 1/4; thence south along said parallel line to the north line of Centre Avenue.

TOGETHER WITH the right to enter upon and to pass and repass over and along said strip of land, and to deposit tools, implements, and other material thereon by said party of the second part, his officers, agents and employees, and by persons under contract with it and their employees, whenever and wherever necessary for the purpose of constructing, reconstructing, inspecting, maintaining, operating or repairing said STORM WATER DRAIN.

IN WITNESS WHEREOF the said parties of the first part has hereunto executed the within instrument the day and date first above written.

/s/ Earl D. Kirby

/s/ Lois M. Kirby